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F. CHAU & ASSOCIATES
1900 Hempstead Turnpike
Suite 501
East Meadow, NY 11554

In re Application of :
Castelli et al. :
Serial No. 09/916,935 : DECISION ON PETITION
Filed: July 27, 2001 :
For: METHOD AND APPARATUS FOR :
PREDICTION OF COMPUTER
SYSTEM PERFORMANCE BASED
ON TYPES AND NUMBERS OF
ACTIVE DEVICES

This is a decision on petition filed February 22, 2002 under 37 CFR 1.48(a). Petitioner requests the inventorship be corrected. Petitioner alleges unintentional omission of one inventor.

The petition is GRANTED.

37 CFR 1.48(a) Correction of inventorship requires -

(a) If the correct inventor or inventors are not named in a nonprovisional application through error without any deceptive intention on the part of the actual inventor or inventors, the application may be amended to name only the actual inventor or inventors. Such amendment must be diligently made and must be accompanied by:

(1) a petition including a statement of facts verified by the original named inventor or inventors establishing when the error without deceptive intention was discovered and how it occurred;

(2) an oath or declaration by each actual inventor or inventors as required by § 1.63;

(3) the fee set forth in § 1.17(h); and

(4) the written consent of any assignee. When the application is involved in an interference, the petition shall comply with the requirements of this section and shall be accompanied by a motion under § 1.634.

Petitioner submits (1) a petition, (2) an Oath/Declaration by each actual inventor as required by Rule 63, (3) the requisite fee, and (4) the written consent of the assignee.

The petition is GRANTED.

The application will be forwarded to application branch to correct the inventorship. The inventorship will then be -

Vittorio Castelli; Peter A. Franaszek; and Joy Aloysius Thomas.

A handwritten signature in cursive script, appearing to read "Kevin Teska", written over a horizontal line.

Kevin Teska
Supervisory Patent Examiner
Technology Center 2100